

## FINAL JUDGMENT

Pending before the Court in the above-captioned cases are the Complaints filed by Plaintiff Secor View Technologies LLC (“Plaintiff”) against Defendants Nissan North America, Inc.; Jaguar Land Rover North America, LLC; BMW of North America, LLC; and Rolls-Royce Motor Cars NA, LLC, (collectively, “Defendants”) for infringement of U.S. Patent No. 5,289,321 (“the ’321 Patent”). Also pending before the Court in the above-captioned cases are the Answers and Counterclaims filed by Defendants against Plaintiff seeking, *inter alia*, a declaration that the ’321 Patent is invalid.

Pursuant to the agreement of the parties and Rule 54 of the Federal Rules of Civil Procedure, the Court does hereby enter judgment as follows:

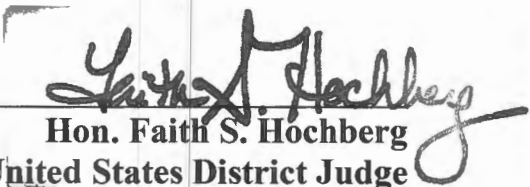
1. By an Opinion (Dkt. No. 90) and an Order (Dkt. No. 91) dated November 22, 2013, the Court held that the terms “minimize lateral protuberance from the side of the vehicle;” “avoiding unnecessary airflow turbulence;” and “low angle” were indefinite;
2. As a result of that Opinion and Order, each and every claim of the ’321 Patent is invalid as indefinite under section 112(b) of title 35 of the United States Code;
3. Judgment shall be entered against Plaintiff and in favor of Defendants that the ’321 Patent is invalid;
4. Plaintiff shall take nothing from its claims against Defendants;

5. This judgment constitutes a final judgment as to Plaintiff's claims of patent infringement against Defendants and a final judgment as to Defendants' declaratory judgment claim of patent invalidity against Plaintiff. Any and all of Defendants' remaining declaratory judgment claims against Plaintiff are hereby **DISMISSED WITHOUT PREJUDICE**;

6. Plaintiff hereby waives all rights to any appeal of this Final Judgment or to any findings by this Court in the above-captioned actions and agrees not to appeal this Final Judgment.

7. All costs and fees shall be borne by the party that incurred them.

**IT IS SO ORDERED** this 16 day of December 2013

  
Hon. Faith S. Hochberg  
United States District Judge

**We hereby consent to the form and entry of this Final Judgment:**

s/ Bruce D. Vargo

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